

E X H I B I T O N E

1	LA V OFFICE OF HAL ETKIN, 14-Hubbard Avenue, 2nd Floor, Springfield, Massachusetts 01105,	EY HAL ETKIN, ESQUIRE
2	that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	LAW OFFICES OF STEPHEN W. SILVERMAN, 73 State Street, Suite 203, Springfield, Massachusetts 01103,
3	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	BY: STEPHEN W. SILVERMAN, ESQUIRE
4	that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	LAW OFFICES OF STEPHEN W. SILVERMAN, 73 State Street, Suite 203, Springfield, Massachusetts 01103,
5	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	BY: STEPHEN W. SILVERMAN, ESQUIRE
6	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	LAW OFFICES OF MICHAEL J. CHERNICK, 73 State Street, Springfield, Massachusetts 01103,
7	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	BY: MICHAEL J. CHERNICK, ESQUIRE
8	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Ross & Ross, P.C., 121 State Street, Springfield, Massachusetts 01103,
9	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
10	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
11	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
12	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
13	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
14	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
15	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
16	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
17	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
18	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
19	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
20	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
21	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire
22	It is agreed by and between the parties that all objections, except objections as to the form of the question, are reserved to raise at the time of trial for the first	Represents the Plaintiff, John S. Stewart, Esquire

2	DATA, DO 34-10197-14A	DATA, DATA, DATA
3	WITNESS DIRECT CROSS REDIRECT	WITNESS, WITNESS, WITNESS
4	MELISSA OSTRANDER 5 *	MELISSA, MELISSA, MELISSA
5	STEWART *	STEWART, STEWART, STEWART
6	ETKIN *	ETKIN, ETKIN, ETKIN
7	SILVERMAN ***	SILVERMAN, SILVERMAN, SILVERMAN
8	CHERNIK ***	CHERNIK, CHERNIK, CHERNIK
9	EXHIBITS: DESCRIPTION	EXHIBITS, EXHIBITS, EXHIBITS
10	D EXHIBIT # 1 Plaintiff's Answers	D EXHIBIT # 1 Plaintiff's Answers
11	to Interrogatories 55	to Interrogatories 55
12	D EXHIBIT # 2 Diagram	D EXHIBIT # 2 Diagram
13	55	55
14		
15		
16	Witnessed, signed and Separately	Witnessed, signed and Separately
17		
18		
19		
20		
21		
22		
23		

1	about, what he asked you and what you told him?	2	through the meat you told	3	A. The standard stuff when you get	2	Q. Was it a tenderizer?	3	A. It wasn't a tenderizer, I think it	4	was like a cubed steak or something like	5	that where it pounds it and make it more	6	it to you as you understood it when you were	7	getting hired?	8	A. Ringing up customers, taking care	9	of the deli needs, slicing meats and	10	cheeses, and stocking food, basic, you know,	11	A. So, this was basically you put a	12	piece of meat there and then you pull on a	13	handle and it --	14	A. It went you would stick the meat	15	through this hole, I remember sticking it in the	16	A. I don't know if it was a hand	17	ground or I don't really remember.	18	Q. You only used it once and you	19	don't remember a lot?	20	A. Yes.	21	Q. When you were at Pleasant Street	22	Market, do you remember reading or having	23	available to you operator's manuals for any
1	You work in any other machinery?	2	No.	1	of these machines were talking about?	2	A. If they were available to us, I	3	don't remember seeing any of them, I'm sure	4	they're probably put away like in the filing	5	cabinets, what not.	6	Q. That was probably not a very good	7	question because I kind of asked two things.	8	I guess what I meant to ask was did you ever	9	see one, did you ever see an operator's	10	see one?	11	A. No, I didn't.	12	Q. So, let me just try to be clear,	13	you didn't see manuals for slicers, or meat	14	grinders or this other tenderizer cube steak	15	machine?	16	A. No.	17	Q. Okay, So, your first day at work	18	I guess Mr. Barry took you around and told	19	you some things you were going to need to	20	know?	21	A. Yes.	22	Q. Did he give you any -- let me	23	through a machine where it poking holes
1	32	2	30	1	of these machines were talking about?	2	A. If they were available to us, I	3	don't remember seeing any of them, I'm sure	4	they're probably put away like in the filing	5	cabinets, what not.	6	Q. That was probably not a very good	7	question because I kind of asked two things.	8	I guess what I meant to ask was did you ever	9	see one, did you ever see an operator's	10	see one?	11	Q. thin?	12	A. Yes.	13	C. Do you remember what the brand or	14	the name on the side of the slicer was?	15	A. No, I do not.	16	C. Okay, Other than the slicer and	17	the meat grinder, were there any other	18	machines there that you worked on?	19	A. There was a machine where you	20	would take a hamburger patty, not really	21	-- I don't know what you would call it, just	22	like a slice of a meat and then you stick it	23	through a machine where it poking holes
1	31	2	29	1	about, what he asked you and what you told	2	him?	3	A. The standard stuff when you get	4	Q. Was it a tenderizer?	5	A. It wasn't a tenderizer, I think it	6	was like a cubed steak or something like	7	that where it pounds it and make it more	8	it to you as you understood it when you were	9	getting hired?	10	A. Ringing up customers, taking care	11	of the deli needs, slicing meats and	12	cheeses, and stocking food, basic, you know,	13	A. So, this was basically you put a	14	piece of meat there and then you pull on a	15	handle and it --	16	A. It went you would stick the meat	17	through this hole, I remember sticking it in the	18	A. I don't know if it was a hand	19	ground or I don't really remember.	20	Q. You only used it once and you	21	don't remember a lot?	22	A. Yes.	23	Q. When you were at Pleasant Street

1	Do you remember how that went, that	1	body?	33
2	Particular time that he took you around?	2	A. Yes.	
3	A. It's a very small store.	3	Q. Okay. And then you have your	
4	A. So, really you have the grocery	4	catching hand underneath the slicing area?	
5	A. Yes.	5	Q. Okay. And then you have your	
6	a sales, like two grocery aisles, you have	6	the cigarette carton area, there's the	
7	the cigarette carton area, you have	7	cashier, you know, a stand where there is	
8	the lottery machines, stuff like that, and	8	out the areas and stuff like that, nothing,	
9	then you have the deli, So, he was pointing	9	out the areas and stuff like that, nothing,	
10	areas, I was going to be trained to do that.	10	then you have the deli, So, he was pointing	
11	A. Very close.	11	out the areas and stuff like that, nothing,	
12	Q. Can you tell me in some distance	12	then you have the deli, So, he was pointing	
13	A. Two to three inches close it was,	13	out the areas and stuff like that, nothing,	
14	Q. Okay. So, I gather he showed you	14	then you have the deli, So, he was pointing	
15	A. How to use the cash register	15	out the areas and stuff like that, nothing,	
16	A. I had to stand by Kerry and	16	then you have the deli, So, he was pointing	
17	watched her use the cash register and kind	17	out the areas and stuff like that, nothing,	
18	of get an idea of how to do that.	18	then you have the deli, So, he was pointing	
19	Q. Is there anything Mr. Barry	19	out the areas and stuff like that, nothing,	
20	personally showed you how to do when he was	20	then you have the deli, So, he was pointing	
21	A. Did anybody give you anymore details	21	out the areas and stuff like that, nothing,	
22	other than what we've already talked about	22	then you have the deli, So, he was pointing	
23	Q. Okay. So, do you remember who it	23	out the areas and stuff like that, nothing,	
4	A. Yes.	4	about how to use that machine and how to	
5	Q. Okay. So, do you remember who it	5	work with that machine?	
6	A. No.	6	about how to use that machine and how to	
7	work with that machine?	7	work with that machine?	
8	Q. Do you remember receiving any	8	instructions on the use of this meat	
9	A. No.	9	tenderizer machine?	
10	Q. Okay. Do you remember whatever it	10	Q. Do you remember receiving any	
11	to use the slicer.	11	instructions on the use of this meat	
12	A. I don't remember who taught me how	12	tenderizer machine?	
13	to use the slicer.	13	instructions on the use of this meat	
14	Q. Okay. Do you remember whatever you're	14	using in the area and you catch, you use	
15	to catch whatever you want it, and stuff	15	your right hand to move the thing back and	
16	there is a nozzle thing where you turn for	16	your right hand and just put it down. And then	
17	in you hand and you catch whatever you're	17	there is a nozzle thing where you turn for	
18	using in the area and you catch, you use	18	whatever thickness you want it, and stuff	
19	your right hand to move the thing back and	19	like that.	
20	your right hand and you catch, you use	20	Q. So, I guess the action of the	
21	your right hand to move the thing back and	21	meatline with your right hand up with the	
22	your right hand to move the thing back and	22	slab of meat is kind of back and forth?	
23	your right hand to move the thing back and	23	Q. Yes.	

1	these details of training to other people	1	that machine when it was closing time.	36
2	A. They showed me how to clean the	2	machine when it was closing time.	
3	Q. Stop?	3	that were more experienced working at the	
4	A. Yes.	4	that machine when it was closing time.	
5	Q. Okay. So, do you remember who it	5	about how to use that machine and how to	
6	A. No.	6	work with that machine?	
7	Q. Okay. Do you remember who taught me how	7	work with that machine?	
8	A. I don't remember who taught me how	8	about how to use that machine and how to	
9	to use the slicer.	9	work with that machine?	
10	Q. Okay. Do you remember whatever it	10	work with that machine?	
11	A. No.	11	about how to use that machine and how to	
12	Q. Okay. Do you remember who taught me how	12	work with that machine?	
13	A. Two to three inches close it was,	13	work with that machine?	
14	Q. Okay. So, I gather he showed you	14	about how to use that machine and how to	
15	how to use the cash register	15	work with that machine?	
16	A. I had to stand by Kerry and	16	work with that machine?	
17	watched her use the cash register and kind	17	about how to use that machine and how to	
18	of get an idea of how to do that.	18	work with that machine?	
19	Q. Is there anything Mr. Barry	19	work with that machine?	
20	personally showed you how to do when he was	20	about how to use that machine and how to	
21	there?	21	work with that machine?	
22	A. No.	22	work with that machine?	
23	Q. Is it fair to say he left some of	23	work with that machine?	

1	Q.	yes.	39
2	A.	Cheri, C-h-e-r-i, Barrosa, Cecelia	
3	Q.	hamburger meat twice before you sell it.	
4	A.	Fernandez, Kerry Friend, and then Cathy, I	
5	Q.	So I was selling them like the	
6	A.	already ground hamburger meat that wasn't run through, which is not a problem, it's	
7	Q.	you've got to run it and then sell it.	
8	A.	not as lean. So then somebody told me, no,	
9	Q.	type basis?	
10	A.	yes, the morning people, Agnes, I	
11	Q.	don't know her last name. Sue I very rarely	
12	A.	worked with her.	
13	A.	Yes.	
14	Q.	All right. Do you remember who it	
15	A.	was that brought it to your attention that,	
16	Q.	lock it, you really want to run it through	
17	A.	there twice?	
18	Q.	I don't remember exactly.	
19	A.	Did you work a certain shift or	
20	Q.	certain days?	
21	A.	I've always worked right after	
22	Q.	school until maybe closing time, if not	
23	A.	earlier, or on the weekend during the day,	
1	Q.	or even sometimes at night.	38
2	A.	Okay. So, it wasn't always --	
3	Q.	It wasn't specific hours, it	
4	A.	wasn't the same, yes.	
5	Q.	So, some weekends you'd work at	
6	A.	during the day, some weekends you'd work at	
7	Q.	night, it varied kind of things?	
8	A.	Yes.	
9	Q.	So, the people that were actually	
10	A.	working at the same time you were working,	
11	Q.	did that vary as well?	
12	A.	Yes, Well, no, I'm sorry. There	
13	Q.	was a couple of people who had, you know,	
14	A.	they scheduled shifts, a lot of them were	
15	Q.	morning people, the ones that worked in the	
16	A.	morning, and I'd come in to relieve them.	
17	Q.	Who were the people that you	
18	A.	worked with more often than the other	
19	Q.	people?	
20	A.	Do you remember him ever observing	
21	Q.	you when you were using the hamburger	
22	A.	Okay. My friend Cheri -- do you	
23	Q.	Want full names?	

1	A.	No. There's a tray that collects all the hamburger meat that was ground down.	2	all the hamburger meat that was ground down and it sits underneath where the holes where the hamburger, round hamburger meat comes down.	3	thin strips of meat, not like hamburger patties, they'd push it down like that.	4	That's where like all the meat that is made hamburger, round hamburger meat comes down.	5	Thats where like all the meat that is made during the day, and then we take that meat to grind through again to sell it.	6	Okay. During the second grind, in other words, grinding hamburger it goes through once and then now you're going to put it through again?	7	Okay. So I make sure I understand the hamburger meat to go through again.	8	Okay.	9	Let me just understand that. When you clean the machine you take it all apart,	10	right?	11	A. No. That would be very difficult.	12	No, we take the tray that sits on top of the machine, and the tray that has all the hambuger meat that's already been grounded through, we take that tray, and that's about 15 it, I think we just clean those two parts.	13	Q. Is the inside of the machine ever cleaned out?	14	A. I'm sure it is. I've never seen it done personally.	15	Q. Okay. Did anybody ever tell you to be used?	16	When the stomper was to be used and wasn't used?	17	A. I don't really remember.	18	Q. Okay. During the first time that somebody was instructing you about this meat	19	scmebody was instructing you about this meat											
2	A.	I don't know, I don't remember.	3	about the stomper?	4	I'm sorry.	5	Q. Okay. Do you remember if the	6	stomper was present and within your field of vision when you were first instructed about the use of the meat grinding machine?	7	A. Yes. It sits on like a rack where we slide drinks, like Snapple or whatever, I don't know exactly what kind of drinks it was, but on that rack.	8	Q. What distance is that away from the actual machine?	9	A. Yes. It sits on like a rack where we slide drinks, like Snapple or whatever, I don't know exactly what kind of drinks it was, but on that rack.	10	we slide drinks, like Snapple or whatever, I don't know exactly what kind of drinks it was, but on that rack.	11	Q. What distance is that away from the actual machine?	12	A. Yes. It sits on like a rack where we slide drinks, like Snapple or whatever, I don't know exactly what kind of drinks it was, but on that rack.	13	Q. What distance is that away from the actual machine?	14	Q. About a foot.	15	Q. Okay.	16	Q. Okay.	17	A. But in eye view.	18	Q. Are there any nonattached parts of the meat grinding machine other than that solution that were in your field of vision?	19	A. Can you rephrase that?	20	Q. Yes. Was the stomper the only solution that was in your field of vision?	21	Q. Can you rephrase that?	22	A. Yes. Was the stomper the only solution that was in your field of vision?	23	Q. This that wasn't attached to the machine?					
48	Q.	And I understand this machine was in some kind of large walk-in freezer unit,	1	Q.	in some kind of large walk-in freezer unit,	2	in some kind of large walk-in freezer unit,	3	or refrigerator unit?	4	about the stomper?	5	I don't know, I don't remember.	6	grinding machine, did they mention anything	7	the use of the meat grinding machine?	8	A. Yes. It sits on like a rack where we slide drinks, like Snapple or whatever, I don't know exactly what kind of drinks it was, but on that rack.	9	Q. Okay. What distance is that away from the actual machine?	10	we slide drinks, like Snapple or whatever, I don't know exactly what kind of drinks it was, but on that rack.	11	Q. What distance is that away from the actual machine?	12	A. Yes. It sits on like a rack where we slide drinks, like Snapple or whatever, I don't know exactly what kind of drinks it was, but on that rack.	13	Q. What distance is that away from the actual machine?	14	Q. About a foot.	15	Q. Okay.	16	Q. Okay.	17	A. But in eye view.	18	Q. Are there any nonattached parts of the meat grinding machine other than that solution that were in your field of vision?	19	A. Can you rephrase that?	20	Q. Yes. Was the stomper the only solution that was in your field of vision?	21	Q. Can you rephrase that?	22	A. Yes. Was the stomper the only solution that was in your field of vision?	23	Q. This that wasn't attached to the machine?
47	A.	No. There's a tray that collects all the hamburger meat that was ground down and it sits underneath where the holes where the hamburger, round hamburger meat comes down.	1	A.	No. There's a tray that collects all the hamburger meat that was ground down and it sits underneath where the holes where the hamburger, round hamburger meat comes down.	2	all the hamburger meat that was ground down and it sits underneath where the holes where the hamburger, round hamburger meat comes down.	3	thin strips of meat, not like hamburger patties, they'd push it down like that.	4	That's where like all the meat that is made hamburger, round hamburger meat comes down.	5	Thats where like all the meat that is made during the day, and then we take that meat to grind through again to sell it.	6	Okay. During the second grind, in other words, grinding hamburger it goes through once and then now you're going to put it through again?	7	Okay. So I make sure I understand the hamburger meat to go through again.	8	Okay.	9	Let me just understand that. When you clean the machine you take it all apart,	10	right?	11	A. No. That would be very difficult.	12	No, we take the tray that sits on top of the machine, and the tray that has all the hambuger meat that's already been grounded through, we take that tray, and that's about 15 it, I think we just clean those two parts.	13	Q. Is the inside of the machine ever cleaned out?	14	A. I'm sure it is. I've never seen it done personally.	15	Q. Was the stomper used for that	16	second pass?	17	A. No.	18	Q. Okay. Did anybody ever tell you to be used?	19	When the stomper was to be used and wasn't used?	20	Q. I don't really remember.	21	A. Okay. During the first time that somebody was instructing you about this meat	22	Q. Okay. During the first time that somebody was instructing you about this meat	23	scmebody was instructing you about this meat

1	have gone, or was that where you had done	2	all that you could do there?	3	A. Well, I could have been there	4	longer, but what happened was I got the claw	5	device, the prosthetic, we started working	6	about how often would you go?	7	A. For the first, I believe first two	8	didn't want to use it. So then my nurse	9	found another doctor in Boston, we went	10	directly to him and stopped Shriners.	11	Q. Now, this myoelectric hand, that	12	took a while to make, I gather?	13	months were you coming about once a month,	14	have fittings and they would work on it	15	more?	16	A. Yes.	17	Q. Okay. Now, another one of the	18	Shriners, according to my notes?	19	doctors involved after your accident was	20	Doctor Leveton?	21	Q. And that started about eight.	22	months after the accident, was this after	23	you were done at Apex?		
1	Q. Okay.	66	A. I started some physical therapy at	2	Apex, there is a machine I have to --	3	Q. What kind of physical therapy at	4	Q. What kind of physical therapy, or	5	put it together?	6	A. Learning to adapt to doing daily	7	things with my hand as it is.	8	Q. And what kind of activities or	9	things did you do?	10	A. We basically did like cooking, we	11	did a lot of cooking things like holding a	12	do it and mixing -- what else did we do -- we	13	like we tried to do hair, putting my	14	hair up, trying to put necklaces on,	15	standard stuff like that.	16	Q. Okay.	17	A. Your daily life needs, I guess,	18	you have to do.	19	Q. Okay. Now, when the accident	20	happened, that was put on hold, is that	21	So that was about three months at	22	Shriners?	23	Q. Did you have any communication
1	67	65	keep dressing my hand up and like do stuff	2	like that. She had like electrodes, or	3	something like that, she attached to my	4	area, it was just little shocks and	5	stimulate the muscles and stuff.	6	Q. About how often would you go?	7	A. For the first, I believe first two	8	or three months I went almost every day,	9	then it started becoming every day,	10	and then every week, and then every other	11	week, it was very often.	12	Q. So, by the end of that eight	13	months were you coming about once a month,	14	every couple of weeks?	15	A. Once a month, yes. Maybe every	16	other month.	17	Q. And you had physical therapy at	18	Shriners, according to my notes?	19	A. Yes.	20	Q. And that started about eight.	21	Q. How did you come to start seeing	22	months after the accident, was this after	23	A. Yes.
1	68	99	Q. Okay.	2	Q. This is the nurse that was	3	A. Yes.	4	Q. There is a machine I have to --	5	put it together?	6	A. Learning to adapt to doing daily	7	things with my hand as it is.	8	Q. And what kind of activities or	9	things did you do?	10	A. We basically did like cooking, we	11	did a lot of cooking things like holding a	12	do it and mixing -- what else did we do -- we	13	like we tried to do hair, putting my	14	hair up, trying to put necklaces on,	15	standard stuff like that.	16	Q. Okay.	17	A. Your daily life needs, I guess,	18	you have to do.	19	Q. Okay. Now, when the accident	20	happened, that was put on hold, is that	21	So that was about three months at	22	Shriners?	23	Q. Did you have any communication

1	A.	It's East Main Street in the	81
2	Westfield Shops.		
3	Q.	Okay. How long have you worked at	
4	of 2004.		
5	A.	Westfield was my second day.	
6	Q.	Okay. What do you do there?	
7	A.	They are going to start me as a	
8	cashier.		
9	Q.	Have you had some training there	
10		they went through?	
11	A.	The only yesterday training I got	
12	was bagging groceries, we haven't started		
13	training on the cash registers yet.		
14	Q.	Okay. So, the idea is you're	
15	A.	going to become a cashier?	
16	10-202. I worked there for like a month and		
17	Q.	Okay. What did you do there?	
18	A.	I was a cashier, stocking things.	
19	Q.	So, you dealt with credit cards	
20	A.	and pulling cigarettes off the rack and	
21	Q.	things like that?	
22	A.	No, I did not.	
23	Q.	What caused you to apply a month	
24	A.	and a half ago, if anything?	
25	Q.	I guess just to like have my own	
26	A.	money to do something.	
27	Q.	Is that roughly about the time	
28	A.	that you and Jared split?	
29	Q.	Why did you apply at Big Y as	
30	A.	My sister works there.	
31	Q.	I see. Okay. What was your last	
32	A.	employment before working at Big Y?	
33	Q.	I was a paraprofessional at	
34	A.	Westfield North Middle School for two weeks,	
35	Q.	going further back in time from the gas	
36	A.	station, what was your next job?	
37	Q.	by exit four -- exit three, I'm sorry.	
38	A.	parents' house, it's right by the Mass. Pike	
39	Q.	parents, what last name is.	
40	A.	Okay. Is this close to downtown?	
41	Q.	Q. Okay. What was your last	
42	A.	employment?	
43	Q.	What did you do there?	
44	A.	Who you reported to?	
45	Q.	Her name was Koral, K-o-r-a-l. I	
46	A.	don't know what her last name is.	
47	Q.	Okay. Is this close to downtown?	
48	A.	No, it's like five minutes from my	
49	Q.	parents' house, it's right by the Mass. Pike	
50	A.	by exit four -- exit three, I'm sorry.	
51	Q.	What was your last name?	
52	A.	Okay. Her name was Koral, K-o-r-a-l. I	
53	Q.	What did you do there?	
54	A.	Who you reported to?	
55	Q.	Her name was Koral, K-o-r-a-l. I	
56	A.	don't know what her last name is.	
57	Q.	Okay. Is this close to downtown?	
58	A.	No, it's like five minutes from my	
59	Q.	parents' house, it's right by the Mass. Pike	
60	A.	by exit four -- exit three, I'm sorry.	
61	Q.	What was your last name?	
62	A.	Okay. Her name was Koral, K-o-r-a-l. I	
63	Q.	What did you do there?	
64	A.	Who you reported to?	
65	Q.	Her name was Koral, K-o-r-a-l. I	
66	A.	don't know what her last name is.	
67	Q.	Okay. Is this close to downtown?	
68	A.	No, it's like five minutes from my	
69	Q.	parents' house, it's right by the Mass. Pike	
70	A.	by exit four -- exit three, I'm sorry.	
71	Q.	What was your last name?	
72	A.	Okay. Her name was Koral, K-o-r-a-l. I	
73	Q.	What did you do there?	
74	A.	Who you reported to?	
75	Q.	Her name was Koral, K-o-r-a-l. I	
76	A.	don't know what her last name is.	
77	Q.	Okay. Is this close to downtown?	
78	A.	No, it's like five minutes from my	
79	Q.	parents' house, it's right by the Mass. Pike	
80	A.	by exit four -- exit three, I'm sorry.	
81	Q.	What was your last name?	
82	A.	Okay. Her name was Koral, K-o-r-a-l. I	
83	Q.	What did you do there?	
84	A.	Who you reported to?	
85	Q.	Her name was Koral, K-o-r-a-l. I	
86	A.	don't know what her last name is.	
87	Q.	Okay. Is this close to downtown?	
88	A.	No, it's like five minutes from my	
89	Q.	parents' house, it's right by the Mass. Pike	
90	A.	by exit four -- exit three, I'm sorry.	
91	Q.	What was your last name?	
92	A.	Okay. Her name was Koral, K-o-r-a-l. I	
93	Q.	What did you do there?	
94	A.	Who you reported to?	
95	Q.	Her name was Koral, K-o-r-a-l. I	
96	A.	don't know what her last name is.	
97	Q.	Okay. Is this close to downtown?	
98	A.	No, it's like five minutes from my	
99	Q.	parents' house, it's right by the Mass. Pike	
100	A.	by exit four -- exit three, I'm sorry.	
101	Q.	What was your last name?	
102	A.	Okay. Her name was Koral, K-o-r-a-l. I	
103	Q.	What did you do there?	
104	A.	Who you reported to?	
105	Q.	Her name was Koral, K-o-r-a-l. I	
106	A.	don't know what her last name is.	
107	Q.	Okay. Is this close to downtown?	
108	A.	No, it's like five minutes from my	
109	Q.	parents' house, it's right by the Mass. Pike	
110	A.	by exit four -- exit three, I'm sorry.	
111	Q.	What was your last name?	
112	A.	Okay. Her name was Koral, K-o-r-a-l. I	
113	Q.	What did you do there?	
114	A.	Who you reported to?	
115	Q.	Her name was Koral, K-o-r-a-l. I	
116	A.	don't know what her last name is.	
117	Q.	Okay. What did you apply for work there?	
118	A.	About a month and a half ago.	
119	Q.	Did you apply anywhere else at	
120	A.	that time?	
121	Q.	So, you dealt with credit cards	
122	A.	and pulling cigarettes off the rack and	
123	Q.	things like that?	
124	A.	Uh-huh.	
125	Q.	What caused you to apply a month	
126	A.	and a half ago, if anything?	
127	Q.	I guess just to like have my own	
128	A.	money to do something.	
129	Q.	Is that roughly about the time	
130	A.	that you and Jared split?	
131	Q.	Why did you apply at Big Y as	
132	A.	My sister works there.	
133	Q.	I see. Okay. What was your last	
134	A.	employment before working at Big Y?	
135	Q.	I was a paraprofessional at	
136	A.	Westfield North Middle School for two weeks,	
137	Q.	going further back in time from the gas	
138	A.	station, what was your next job?	
139	Q.	by exit four -- exit three, I'm sorry.	
140	A.	parents' house, it's right by the Mass. Pike	
141	Q.	it's like five minutes from my	
142	A.	by exit four -- exit three, I'm sorry.	
143	Q.	What was your last name?	
144	A.	Okay. Her name was Koral, K-o-r-a-l. I	
145	Q.	What did you do there?	
146	A.	Who you reported to?	
147	Q.	Her name was Koral, K-o-r-a-l. I	
148	A.	don't know what her last name is.	
149	Q.	Okay. Is this close to downtown?	
150	A.	No, it's like five minutes from my	
151	Q.	parents' house, it's right by the Mass. Pike	
152	A.	by exit four -- exit three, I'm sorry.	
153	Q.	What was your last name?	
154	A.	Okay. Her name was Koral, K-o-r-a-l. I	
155	Q.	What did you do there?	
156	A.	Who you reported to?	
157	Q.	Her name was Koral, K-o-r-a-l. I	
158	A.	don't know what her last name is.	
159	Q.	Okay. Is this close to downtown?	
160	A.	No, it's like five minutes from my	
161	Q.	parents' house, it's right by the Mass. Pike	
162	A.	by exit four -- exit three, I'm sorry.	
163	Q.	What was your last name?	
164	A.	Okay. Her name was Koral, K-o-r-a-l. I	
165	Q.	What did you do there?	
166	A.	Who you reported to?	
167	Q.	Her name was Koral, K-o-r-a-l. I	
168	A.	don't know what her last name is.	
169	Q.	Okay. Is this close to downtown?	
170	A.	No, it's like five minutes from my	
171	Q.	parents' house, it's right by the Mass. Pike	
172	A.	by exit four -- exit three, I'm sorry.	
173	Q.	What was your last name?	
174	A.	Okay. Her name was Koral, K-o-r-a-l. I	
175	Q.	What did you do there?	
176	A.	Who you reported to?	
177	Q.	Her name was Koral, K-o-r-a-l. I	
178	A.	don't know what her last name is.	
179	Q.	Okay. Is this close to downtown?	
180	A.	No, it's like five minutes from my	
181	Q.	parents' house, it's right by the Mass. Pike	
182	A.	by exit four -- exit three, I'm sorry.	
183	Q.	What was your last name?	
184	A.	Okay. Her name was Koral, K-o-r-a-l. I	
185	Q.	What did you do there?	
186	A.	Who you reported to?	
187	Q.	Her name was Koral, K-o-r-a-l. I	
188	A.	don't know what her last name is.	
189	Q.	Okay. Is this close to downtown?	
190	A.	No, it's like five minutes from my	
191	Q.	parents' house, it's right by the Mass. Pike	
192	A.	by exit four -- exit three, I'm sorry.	
193	Q.	What was your last name?	
194	A.	Okay. Her name was Koral, K-o-r-a-l. I	
195	Q.	What did you do there?	
196	A.	Who you reported to?	
197	Q.	Her name was Koral, K-o-r-a-l. I	
198	A.	don't know what her last name is.	
199	Q.	Okay. Is this close to downtown?	
200	A.	No, it's like five minutes from my	
201	Q.	parents' house, it's right by the Mass. Pike	
202	A.	by exit four -- exit three, I'm sorry.	
203	Q.	What was your last name?	
204	A.	Okay. Her name was Koral, K-o-r-a-l. I	
205	Q.	What did you do there?	
206	A.	Who you reported to?	
207	Q.	Her name was Koral, K-o-r-a-l. I	
208	A.	don't know what her last name is.	
209	Q.	Okay. Is this close to downtown?	
210	A.	No, it's like five minutes from my	
211	Q.	parents' house, it's right by the Mass. Pike	
212	A.	by exit four -- exit three, I'm sorry.	
213	Q.	What was your last name?	
214	A.	Okay. Her name was Koral, K-o-r-a-l. I	
215	Q.	What did you do there?	
216	A.	Who you reported to?	
217	Q.	Her name was Koral, K-o-r-a-l. I	
218	A.	don't know what her last name is.	
219	Q.	Okay. Is this close to downtown?	
220	A.	No, it's like five minutes from my	
221	Q.	parents' house, it's right by the Mass. Pike	
222	A.	by exit four -- exit three, I'm sorry.	
223	Q.	What was your last name?	
224	A.	Okay. Her name was Koral, K-o-r-a-l. I	
225	Q.	What did you do there?	
226	A.	Who you reported to?	
227	Q.	Her name was Koral, K-o-r-a-l. I	
228	A.	don't know what her last name is.	
229	Q.	Okay. Is this close to downtown?	
230	A.	No, it's like five minutes from my	
231	Q.	parents' house, it's right by the Mass. Pike	
232	A.	by exit four -- exit three, I'm sorry.	
233	Q.	What was your last name?	
234	A.	Okay. Her name was Koral, K-o-r-a-l. I	
235	Q.	What did you do there?	
236	A.	Who you reported to?	
237	Q.	Her name was Koral, K-o-r-a-l. I	
238	A.	don't know what her last name is.	
239	Q.	Okay. Is this close to downtown?	
240	A.	No, it's like five minutes from my	
241	Q.	parents' house, it's right by the Mass. Pike	
242	A.	by exit four -- exit three, I'm sorry.	
243	Q.	What was your last name?	
244	A.	Okay. Her name was Koral, K-o-r-a-l. I	
245	Q.	What did you do there?	
246	A.	Who you reported to?	
247	Q.	Her name was Koral, K-o-r-a-l. I	
248	A.	don't know what her last name is.	
249	Q.	Okay. Is this close to downtown?	
250	A.	No, it's like five minutes from my	
251	Q.	parents' house, it's right by the Mass. Pike	
252	A.	by exit four -- exit three, I'm sorry.	
253	Q.	What was your last name?	
254	A.	Okay. Her name was Koral, K-o-r-a-l. I	
255	Q.	What did you do there?	
256	A.	Who you reported to?	
257	Q.	Her name was Koral, K-o-r-a-l. I	
258	A.	don't know what her last name is.	
259	Q.	Okay. Is this close to downtown?	
260	A.	No, it's like five minutes from my	
261	Q.	parents' house, it's right by the Mass. Pike	
262	A.	by exit four -- exit three, I'm sorry.	
263	Q.	What was your last name?	
264	A.	Okay. Her name was Koral, K-o-r-a-l. I	
265	Q.	What did you do there?	
266	A.	Who you reported to?	
267	Q.	Her name was Koral, K-o-r-a-l. I	
268	A.	don't know what her last name is.	
269	Q.	Okay. Is this close to downtown?	
270	A.	No, it's like five minutes from my	
271	Q.	parents' house, it's right by the Mass. Pike	
272	A.	by exit four -- exit three, I'm sorry.	
273	Q.	What was your last name?	
274	A.	Okay. Her name was Koral, K-o-r-a-l. I	
275	Q.	What did you do there?	
276	A.	Who you reported to?	
277	Q.	Her name was Koral, K-o-r-a-l. I	
278	A.	don't know what her last name is.	
279	Q.	Okay. Is this close to downtown?	
280	A.	No, it's like five minutes from my	
281	Q.	parents' house, it's right by the Mass. Pike	
282	A.	by exit four -- exit three, I'm sorry.	
283	Q.	What was your last name?	
284	A.	Okay. Her name was Koral, K-o-r-a-l. I	
285	Q.	What did you do there?	
286	A.	Who you reported to?	
287	Q.	Her name was Koral, K-o-r-a-l. I	
288	A.	don't know what her last name is.	
289	Q.	Okay. Is this close to downtown?	
290	A.	No, it's like five minutes from my	
291	Q.	parents' house, it's right by the Mass. Pike	
292	A.	by exit four -- exit three, I'm sorry.	
293	Q.	What was your last name?	
294	A.	Okay. Her name was Koral, K-o-r-a-l. I	
295	Q.	What did you do there?	
296	A.	Who you reported to?	
297	Q.	Her name was Koral, K-o-r-a-l. I	
298	A.	don't know what her last name is.	
299	Q.	Okay. Is this close to downtown?	
300	A.	No, it's like five minutes from my	
301	Q.	parents' house, it's right by the Mass. Pike	
302	A.	by exit four -- exit three, I'm sorry.	
303	Q.	What was your last name?	
304	A.	Okay. Her name was Koral, K-o-r-a-l. I	
305	Q.	What did you do there?	
306	A.	Who you reported to?	
307	Q.	Her name was Koral, K-o-r-a-l. I	
308	A.	don't know what her last name is.	
309	Q.	Okay. Is this close to downtown?	
310	A.	No, it's like five minutes from my	
311	Q.	parents' house, it's right by the Mass. Pike	
312	A.	by exit four -- exit three, I'm sorry.	
313	Q.	What was your last name?	
314	A.	Okay. Her name was Koral, K-o-r-a-l. I	
315	Q.	What did you do there?	
316	A.	Who you reported to?	
317	Q.	Her name was Koral, K-o-r-a-l. I	
318	A.	don't know what her last name is.	
319	Q.	Okay. Is this close to downtown?	
320	A.	No, it's like five minutes from my	
321	Q.	parents' house, it's right by the Mass. Pike	
322	A.	by exit four -- exit three, I'm sorry.	

1	life at that time, I was going through a lot of emotional issues, and they wanted me to have counseling through them, and I was like, no, you don't need to know my personal life. I wasn't making a lot of money, I wasn't being able to pay for my bills.	5	Q. What general time frame were you working at Cracker Barrel, is this before they kept coming up with excuses, and I was just, well, I'll find somewhere else to become a waitress, all these stupid excuses, well, you're going to have to take a test to become a waitress and that's a better job than being a waitress, so, I gather being a waitress you get tips and that's a better job than being a waitress, is that right?	11	Q. Was this during the time you were pregnant or before that?	12	A. Yes.	13	Q. When you were a waitress later on	14	statiion.	15	Q. Okay. Do you remember generally what kind of difficulties doing the requirements of that job?	16	what kind of difficulties you were having when you were at Cracker Barrel?	17	A. Cracker Barrel	18	Q. What kind of things were difficult?	19	I took out my emotional problems, I had hit rock bottom, I didn't know who I was, I was going like	20	A. They didn't have a tray stand like	21	the food that you have to carry out had to be held in your hand, on a very hot tray, I had a hard time doing that. You're not	22	drinking, I really -- I don't know, I didn't know who I was, I didn't know what I wanted	23	Q. Do you remember what kind of difficulties you were experiencing.	24	THERE IS A LOT MORE BUT -- IT WAS HARD.	25	Q. Do you remember what year or what	26	on the table. I didn't listen to that, I always used to spill things.	27	A. June 2003 maybe, to maybe August	28	Q. Was this after STCC your second	29	A. Yes.	30	semester?	31	Q. Do you remember what employment	32	you had before Cracker Barrel?	33	A. On the Border.	34	Q. Okay. And that's the Mexican	35	place on Riverdale?	36	A. Yes, it is.	37	Q. Okay. What did you do there?	38	Q. I was a hostess.	39	A. Okay. Did you like that work?	40	Q. Okay. Did you like that work?	41	to be a waitress, I feel if I'm going to work in a restaurant I want to be a	42	waress, not a hostess, I want to deal with	43	food and stuff like that. And start as a	44	23 THERE WAS A DOT IN THE MIDDLE OF THE RECORDS
45	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153				

1	Q. Did you have a cell phone at the time of this accident?	A. Yes.
2	A. Yes, I did.	Q. When is the last time you had a cell phone?
3	A. April of '02, have you gone on any long trips other than this trip to Chicago and Missouri?	Q. Have you gone on any vacations out of state?
4	A. July or August of 2004.	Q. Okay. Now, as a result of this accident, have you gotten any prescriptions for medications, do you know what I mean,
5	A. I have maybe for like antibiotics if I had stuff like that, but nothing like pills that you go down to the drugstore and get?	Q. Okay, I don't remember which one it was, Jersey, I went to New Hampshire or New Jersey, I don't remember which one it was.
6	A. July or August of 2004.	Q. How did you get there?
7	Q. Okay. Now, as a result of this accident, have you gotten any prescriptions for medications, do you know what I mean,	A. I drove.
8	Q. Okay. Now, as a result of this accident, have you gotten any prescriptions for medications, do you know what I mean,	Q. Who did you see?
9	A. I have maybe for like antibiotics if I had stuff like that, but nothing like pills that you go down to the drugstore and get?	A. Was that to visit friends?
10	Q. Okay, I don't remember which one it was, Jersey, I went to New Hampshire or New Jersey, I don't remember which one it was.	Q. Arry, he's stationed out there, so it was a day trip.
11	Q. Okay. How did you get there?	A. A friend that I met, he's in the army, he's stationed out there, so it was a day trip.
12	A. I drove.	Q. A day trip?
13	Q. Who did you see?	A. Yes.
14	A. Yes.	Q. A day trip?
15	Q. Nothing like --	A. Okay. So, in the hospital there were pain medications?
16	A. The medication that I was on when I lost my hand.	Q. Did Doctor Martin prescribe any prescriptions for you, any medications?
17	Q. Okay. So, in the hospital there were pain medications?	A. Since you gone to the beach at all
18	A. Yes.	Q. A day trip?
19	Q. Okay. So, in the hospital there were pain medications?	A. Yes.
20	A. Yes.	Q. Did Doctor Martin prescribe any medications?
21	Q. Okay. So, in the hospital there were pain medications?	A. Okay. Since you accidnet?
22	A. Okay. Since you accidnet?	Q. Okay. Since you accidnet?
23	A. Yes.	A. Okay. Since you accidnet?

06

1	Q.	When was that?	91
2	A.	Oh man -- I don't remember.	92
3	Q.	Did that make you feel uncomfortable at all?	93
4	A.	It was after Cracker Barrel.	94
5	A.	After Cracker Barrel?	95
6	A.	Somewhat during and after. I did it a couple of times.	96
7	Q.	So, this would have been sometime after August of '03?	97
8	A.	We went to Hampton Beach, I went with my friend Cheri, Jared and Donny.	98
9	Q.	With your new job at Big Y, is that going to be a full-time job?	99
10	A.	Yes, I'm sorry.	100
11	Q.	Is that accurate?	101
12	A.	With your new job at Big Y, is that going to be a full-time job?	102
13	Q.	Where did you do dancing?	103
14	A.	At 418.	104
15	Q.	And there was a friend of yours that was doing that?	105
16	A.	(Nod.)	106
17	Q.	When you're working?	107
18	A.	Okay. And who watches your son when you're working?	108
19	A.	Mainly my mom, sometimes Jared will watch him.	109
20	Q.	Do you have a cell phone?	110
21	A.	No, I do not.	111
22	A.	We kind of got involved together period of time?	112
23	A.	Have you ever had a cell phone?	113
		ard we were both having problems in our life	114

91

1	2002?	Q. Where did you start going?	4. Kicked the door open twice and Irene came in	5. And she turned the machine back on, I don't know why, but she did. So I turned it off. I turned it off to my grandmother's church.	6. But I did go to my grandmother's church, I don't know why, but she did. I turned it off, and then the paramedics came.	7. Q. Where is it?	8. Q. My grandmother's church, I don't know why, but she did. So I turned it off. I turned it off to my grandmother's church.	9. A. In Enfield, Connecticut.	10. Q. Do you know what it's near?	11. A. No. Route 5 maybe.	12. Q. Did you go with your grandmother?	13. A. Okay.	14. Q. No, I met her there.	15. Q. Okay.	16. A. I went with her once and got to know where it was and then I just kept meeting her there.	17. Q. Okay. So, do you remember who was through with the meat, or was this the accident happened, was it the first run what you just told us about. When the just go ahead and ask some more detail about	18. Q. Okay. So, do you remember who was through with the meat, or was this the accident happened, was it the first run what you just told us about. When the just go ahead and ask some more detail about	19. Q. Okay. So, do you remember who was through with the meat, or was this the accident happened, was it the first run what you just told us about. When the just go ahead and ask some more detail about	20. Q. Working at the time of your accident?	21. A. Yes.	22. Q. Who was there?	23. A. Cheri Barrosa and Irene Ring.	24. Q. The second pass.	25. A. It was the second pass.	26. Q. She was ringing on the register.	27. A. I'm not quite -- I don't remember.	28. Q. Do you know where she was?	29. A. Yes.	30. Q. Was it a customer you knew at all	31. A. Or anybody you recognized?	32. A. I've seen her in there before,	33. Q. You don't know her name?	34. A. No.	35. Q. What happened after the order was	36. A. I went into the cooler and she	37. Q. Played?	38. A. Asked for a pound of hamburger meat, and I	39. Q. The meat from the tray and put it in	40. A. Okay.	41. Q. Okay.	42. A. Okay.	43. Q. Okay.	44. A. Okay.	45. Q. Okay.	46. A. Okay.	47. Q. Okay.	48. A. Okay.	49. Q. Okay.	50. A. Okay.	51. Q. Okay.	52. A. Okay.	53. Q. Okay.	54. A. Okay.	55. Q. Okay.	56. A. Okay.	57. Q. Okay.	58. A. Okay.	59. Q. Okay.	60. A. Okay.	61. Q. Okay.	62. A. Okay.	63. Q. Okay.	64. A. Okay.	65. Q. Okay.	66. A. Okay.	67. Q. Okay.	68. A. Okay.	69. Q. Okay.	70. A. Okay.	71. Q. Okay.	72. A. Okay.	73. Q. Okay.	74. A. Okay.	75. Q. Okay.	76. A. Okay.	77. Q. Okay.	78. A. Okay.	79. Q. Okay.	80. A. Okay.	81. Q. Okay.	82. A. Okay.	83. Q. Okay.	84. A. Okay.	85. Q. Okay.	86. A. Okay.	87. Q. Okay.	88. A. Okay.	89. Q. Okay.	90. A. Okay.	91. Q. Okay.	92. A. Okay.	93. Q. Okay.	94. A. Okay.	95. Q. Okay.	96. A. Okay.	97. Q. Okay.	98. A. Okay.	99. Q. Okay.	100. A. Okay.	101. Q. Okay.	102. A. Okay.	103. Q. Okay.	104. A. Okay.	105. Q. Okay.	106. A. Okay.	107. Q. Okay.	108. A. Okay.	109. Q. Okay.	110. A. Okay.	111. Q. Okay.	112. A. Okay.	113. Q. Okay.	114. A. Okay.	115. Q. Okay.	116. A. Okay.	117. Q. Okay.	118. A. Okay.	119. Q. Okay.	120. A. Okay.	121. Q. Okay.	122. A. Okay.	123. Q. Okay.	124. A. Okay.	125. Q. Okay.	126. A. Okay.	127. Q. Okay.	128. A. Okay.			
1	2002?	Q. And what time were you supposed to work to that day?	1. A. Yes.	2. Q. Do you know where she was?	3. A. Do you know where she was?	4. Q. She was ringing on the register.	5. A. Okay.	6. Q. Okay.	7. A. Okay.	8. Q. Okay.	9. A. Okay.	10. Q. Do you know what it's near?	11. A. No. Route 5 maybe.	12. Q. Did you go with your grandmother?	13. A. Okay.	14. Q. No, I met her there.	15. Q. Okay.	16. A. I went with her once and got to know where it was and then I just kept meeting her there.	17. Q. Okay. So, do you remember who was through with the meat, or was this the accident happened, was it the first run what you just told us about. When the just go ahead and ask some more detail about	18. Q. Okay. So, do you remember who was through with the meat, or was this the accident happened, was it the first run what you just told us about. When the just go ahead and ask some more detail about	19. Q. Okay. So, do you remember who was through with the meat, or was this the accident happened, was it the first run what you just told us about. When the just go ahead and ask some more detail about	20. Q. Working at the time of your accident?	21. A. Yes.	22. Q. Who was there?	23. A. Cheri Barrosa and Irene Ring.	24. Q. The second pass.	25. A. It was the second pass.	26. Q. She was ringing on the register.	27. A. I'm not quite -- I don't remember.	28. Q. Do you know where she was?	29. A. Yes.	30. Q. Was it a customer you knew at all	31. A. Or anybody you recognized?	32. A. I've seen her in there before,	33. Q. You don't know her name?	34. A. No.	35. Q. What happened after the order was	36. A. I went into the cooler and she	37. Q. Played?	38. A. Asked for a pound of hamburger meat, and I	39. Q. The meat from the tray and put it in	40. A. Okay.	41. Q. Okay.	42. A. Okay.	43. Q. Okay.	44. A. Okay.	45. Q. Okay.	46. A. Okay.	47. Q. Okay.	48. A. Okay.	49. Q. Okay.	50. A. Okay.	51. Q. Okay.	52. A. Okay.	53. Q. Okay.	54. A. Okay.	55. Q. Okay.	56. A. Okay.	57. Q. Okay.	58. A. Okay.	59. Q. Okay.	60. A. Okay.	61. Q. Okay.	62. A. Okay.	63. Q. Okay.	64. A. Okay.	65. Q. Okay.	66. A. Okay.	67. Q. Okay.	68. A. Okay.	69. Q. Okay.	70. A. Okay.	71. Q. Okay.	72. A. Okay.	73. Q. Okay.	74. A. Okay.	75. Q. Okay.	76. A. Okay.	77. Q. Okay.	78. A. Okay.	79. Q. Okay.	80. A. Okay.	81. Q. Okay.	82. A. Okay.	83. Q. Okay.	84. A. Okay.	85. Q. Okay.	86. A. Okay.	87. Q. Okay.	88. A. Okay.	89. Q. Okay.	90. A. Okay.	91. Q. Okay.	92. A. Okay.	93. Q. Okay.	94. A. Okay.	95. Q. Okay.	96. A. Okay.	97. Q. Okay.	98. A. Okay.	99. Q. Okay.	100. A. Okay.	101. Q. Okay.	102. A. Okay.	103. Q. Okay.	104. A. Okay.	105. Q. Okay.	106. A. Okay.	107. Q. Okay.	108. A. Okay.	109. Q. Okay.	110. A. Okay.	111. Q. Okay.	112. A. Okay.	113. Q. Okay.	114. A. Okay.	115. Q. Okay.	116. A. Okay.	117. Q. Okay.	118. A. Okay.	119. Q. Okay.	120. A. Okay.	121. Q. Okay.	122. A. Okay.	123. Q. Okay.	124. A. Okay.	125. Q. Okay.	126. A. Okay.	127. Q. Okay.	128. A. Okay.

131	Q. She was by the door to the walk-in	129	Q. You weren't making any extra?	3	A. Yes.
				4	Q. Okay. Had you ever had any difficulty with the running of that grinder
				5	before this accident?
				6	A. I believe so, I don't remember
				7	exactly where it is. Usually it was always
				8	there.
				9	Q. Did you use the stomper at all
				10	that evening before your accident?
				11	A. No.
				12	Q. Okay. So, you had run the meat
				13	through one pass, and then was it in the
				14	bottom of a bowl after the first pass, or
				15	where was it?
				16	A. After the first pass it stays in
				17	the stainless steel --
				18	Q. Kind of a pan?
				19	A. -- pan thinig.
				20	Q. And then I gather you did
				21	something to get that meat back up to the
				22	top of the machine?
				23	A. You grab the hamburger meat that's
1	Q. And when you would be doing that,	130	A. Just to push it along.	21	Q. Okay.
2	about how close would you be coming to the			22	A. Yes.
3	stainless steel pan on top?			23	Q. So, this kind of tapping it
4	A. Well, the hole is right in the			19	downward with your fingers?
5	stainless steel top, so, you would have to			20	Q. So, this kind of tapping it
6	go down the hole a little bit to push it in.			21	downward with your fingers?
7	Q. So, your fingers would actually be			22	Q. Okay.
8	facings downwards somewhat?			23	A. Just to push it along.
9	A. Yes.				
10	Q. And you would be actually touching				
11	the top of the meat with your fingertips?				
12	A. Yes.				
13	Q. Now, the meat that was -- this was				
14	the second pass when this happened?				
15	A. Yes.				
16	Q. Okay. And you say you thought it				
17	was about a pound of hamburger that got				
18	orderd?				
19	Q. Were you making more than that?				
20	you went to put it from underneath and back				
21	A. No.				
22	Q. So, this was just made to order?				
23	A. Yes.				

135	wasn't tightly in a ball, it was in a pile	2	of --	3	Q. So, one pound pile of meat is how	4	big in relation to the hole that's on top in	5	the stainless steel pan, is it bigger than	6	the hole?	7	A. Usually, yes, it was sticky so it	8	would be, so like usually I'd grab a handful	9	put that in and I grab a little bit more and	10	put it in again.	11	Q. Okay. How is it, I know this is a	12	difficult subject matter, and how is it that	13	your hand ended up going down the hole?	14	A. I was tapping the meat, and I was	15	atching it come through the other end and I	16	was doing both looking back and forth and I	17	just do that normally, I don't know what	18	happened, why all of a sudden that just one	19	time I got stuck, I don't quite really --	20	Q. At some point did you feel your	21	hand being drawn in there?	22	A. Yes.	23	Q. Okay. Was there anything that you			
136	I don't remember exactly.	1	say anything?	2	Q. So, did you call out or did you	3	Was the meat pulling your hand at	4	All	5	A. Yes, it was.	6	Q. I gather at some point you had a	7	chance to hit the off switch?	8	A. Yes.	9	Q. Okay. About how long after you	10	realized there was a problem where you were	11	able to hit the off switch?	12	A. Immediately, but I mean I	13	definitely felt something was going wrong	14	Q. I just turned it off.	15	Q. Okay. Were you trying to pull	16	Your hand out at the same time you were	17	hitting the off switch?	18	No, I didn't want -- I felt pain	19	and I didn't want to be in more pain.	20	I turned it off immediately, but when	21	my hand was in there I didn't know if I was	22	stuck in the thing or not and I didn't want	23	to try.	
137	134	so I do at that point?	1	I know that it was a sound proof	2	door, unless like somebody opens it up, like	3	the customers open up the door to open, you	4	I knew I had to kick, somehow get that door	5	I knew I had to kick, so opened, so	6	the customers open up the door to open, you	7	know, to get something out of the cooler, so	8	I knew I had to kick, so opened, so	9	I knew I had to kick, so opened, so	10	left leg backward and opened it and, I don't	11	know, I don't remember what I said, I don't	12	-- I don't remember, but I yelled out for	13	Irene.	14	Q. What happened next?	15	A. Irene came in, she looked at what	16	happened, she might have asked me what, you	17	know, I don't remember exactly what she	18	asked me, I remember her just turning the	19	machine on and I remember saying oh God no,	20	and I turned it off immediately, but when	21	she ran out I think Cheri ran in.	22	Q. Based on your memory, about how	23	MR. STEWART: Let's take a

1	It on before --	137
2	A. Briefly, I mean, I saw her going for it and doing it, I don't know, and then I saw her turn it on, and I was like what are you doing, I turned it off and --	
3	Q. Before the accident, did you feel that you were qualified to use the meat grinder?	
4	A. Oh, yes.	
5	Q. Before the accident, did you consider the meat grinder to be defective in any way?	
6	A. It always looked old and dirty. I	
7	Q. Was your hand drawn in anymore when she turned the machine on?	
8	A. Yes.	
9	Q. Before it move at all?	
10	A. All I know is I felt more pain.	
11	Q. Okay. At that point medical people were called?	
12	A. All I know is I felt more pain.	
13	Q. Okay. Before the machine was it till they got there?	
14	A. I don't remember.	
15	Q. About how soon was it till they know what an emergency stop button was?	
16	A. No, I mean --	
17	Q. Before the accident did you even know what an emergency stop button was?	
18	A. No, I mean --	
19	Q. Before the accident did you even know what an emergency stop button was?	
20	A. No.	
21	Q. Okay. Before the accident did you know what an emergency stop button was?	
22	A. No, I mean --	
23	Q. Okay. Before the accident did you know what an emergency stop button was?	
1	A. I really never thought about it.	140
2	Q. Okay. Were you ever scared of using the machine before the accident?	
3	Q. Okay. And there was surgery with Doctor Wennerr?	
4	A. Yes.	
5	Q. Okay. Did you understand before the accident that you had to be careful?	
6	Q. And then you were home for a while?	
7	A. (Nod.)	
8	Q. The next day was other surgery, is that right?	
9	A. (Nod.)	
10	Q. Okay. Did Mr. Barry or anyone else at the Pleasant Street Market suggest to you before the accident things you had to be careful?	
11	A. Yes. Mainly I'd go in for a wrap change, but this one time they did a wrap change, they'd have to put me under for a nerve extra skin.	
12	Q. So they actually had to give you anesthesia where they'd knock you out to do the wrap?	
13	A. And about how many times did they have to knock you out to do that?	
14	A. I think twice.	
15	Q. Okay. Let me just follow-up	
16	A. Okay. Let me just follow-up	
17	Q. Okay. I'm going to ask you about the meat grinder?	
18	A. Okay. I'm going to ask you about the meat grinder?	
19	Q. Okay. Let me just follow-up	
20	A. Not suggestively, but we talked about like how the plunger thing meat sticks	
21	Q. Okay. Do you remember anything said about the things that were tricky about using the meat grinder?	
22	A. Okay. I mean, it wasn't like, oh, hey, how do you feel about this, you know.	
23	Q. Okay. I'm going to ask you about the meat grinder?	

147	for it but --	145
1	Q. I'm not talking workers	3
2	halfway through and nothing would happen,	2
3	You're just tapping the meat in.	3
4	Q. I'm not trying to be smart.	4
5	A. I know. I know.	5
6	Q. I just want to see where your knowledge was.	6
7	A. I see what you're saying.	7
8	Q. I see what you're saying.	8
9	than a certain level?	9
10	A. Well, normally like there would be	10
11	only one person working the deli and, you	11
12	know, however is working the deli and, you	12
13	be doing all that hamburger meat. At the	13
14	time of my accident Irene was busy in the	14
15	deli, I was ringing on the register and so	15
16	somebody was asking for hamburger meat.	16
17	Irene asked me to take care of the person,	17
18	she was busy doing something, so, I went in	18
19	the cooler to do that, so, normally like	19
20	she was busy doing something, so, I went in	20
21	the cooler to do that, so, normally like	21
22	Q. Understood. What's the deepest	22
23	You ever saw anybody push their hand in	23
1	hole just to push the meat down, so that the	146
2	thing down there could, I don't know,	
3	collect it.	
4	Q. Okay. Did you know if your hand	
5	went down there that there could be an	
6	injury to your hand before the accident?	
7	A. I mean, obviously, like everybody	
8	put their hand down there to push the meat,	
9	so, I mean, there was awareness of how far	
10	alarming you can put your hand in, not like	
11	you're just poking, yes, if you stuck your	
12	hand all the way down there for no apparent	
13	reason, yes, you're going to get stuck in	
14	the machine, but everybody put their hand in	
15	to push the meat, it was just -- you know,	
16	that's what people did, but, you know, to	
17	push the meat in.	
18	Q. Based on your knowledge before	
19	this accident, what was the safe level where	
20	a person's fingers could go below the lip of	
21	the hole?	
22	A. There was no like set level,	
23	nobody suggested you can put your hand	

